



City of Tigard

Tigard Business Meeting - Minutes

TIGARD CITY COUNCIL, LOCAL CONTRACT REVIEW BOARD AND CITY CENTER DEVELOPMENT AGENCY

MEETING DATE AND TIME: December 20, 2011 – 6:30 p.m.

MEETING LOCATION: City of Tigard - Town Hall - 13125 SW Hall Blvd., Tigard, OR 97223

Mayor Dirksen called the meeting to order at 6:30 p.m.

<u>Name</u>	<u>Present</u>	<u>Absent</u>
Mayor Dirksen	✓	(Mayor Dirksen was present for the Study Session only)
Council President Buehner	✓	
Councilor Henderson	✓	
Councilor Wilson	✓	
Councilor Woodard	✓	

Staff present: City Manager Wine, City Recorder Wheatley, Assistant to the City Manager Mills, Assistant Public Works Director Rager, City Attorney Bennett, Assistant Planner Daniels, Public Works Director Koellermeier, Community Development Director Bunch, Assistant Finance and IT Director Smith-Wagar, Assistant Community Development Director Hartnett, Redevelopment Project Manager Farrelly

Track 1

- **STUDY SESSION**

- A. Briefing on Consent Agenda Item to Award a Computerized Maintenance Management System (CMMS) Contract to MaintStar

Assistant Public Works Director Rager reviewed this matter with the City Council, which had been before them last July also. At the last meeting, staff presented the vendor selection process to arrive at the selection of MaintStar, Inc. for the CMMS. Staff and council decided it would be beneficial to have MaintStar take a more detailed look at the public works data since the data conversion proposal for the project was not as clear as it could be for a firm cost estimate. For the last several months, Tigard and MaintStar staff members have worked through an analysis of the data and we now have a firm commitment on price and a solid scope of work. Staff is ready to move forward with the project.

TIGARD CITY COUNCIL MEETING MINUTES – DECEMBER 20, 2011

Assistant Public Works Director Rager noted there is a request on tonight's Consent Agenda for the City Council to authorize the City Manager to enter into a contract with MaintStar. This project will span two fiscal years with over half of the project budgeted in this fiscal year and if there is any budgeted money left this year, it will be carried over to the next fiscal year. Additional funds will be requested to finish the project in the next fiscal year's budget. The cost for the total project is \$409,000.

In response to a question from Councilor Henderson, Assistant Public Works Director Rager advised the initial price from MainStar included data conversion for parks. At this time, we do not track very much for the Park Division in the CMMS. Therefore, there is not a lot of data for parks so this has been removed from the scope of the project.

Track 2

B. Briefing on Southwest Corridor Plan Public Involvement and Messaging

Assistant Planner Daniels presented an electronic slide package entitled, "Southwest Corridor Public Involvement Update." A copy of the presentation is filed in the meeting packet. The plan represents a comprehensive planning effort to create livable and sustainable communities along the corridor between Portland, Tigard and Sherwood. The plan integrates multiple efforts, which she reviewed. This is the first part of a process that will continue until the end of 2013 and includes a wide range of alternatives. By the end of 2013, it is expected that commitments will be identified and implementation strategies created.

Assistant Planner Daniels serves on the Public Involvement Committee; Senior Transportation Planner Gray serves on the Project Team Leaders committee; and Community Development Director Bunch serves on the Project Management Group. Assistant Planner Daniels said she is reporting to the council from her perspective as a representative of both the local and metro public involvement committees. Plans for public involvement include the use of focus and discussion groups and stake holder interviews, which were begun in September 2011 at a Kickoff event. Similar comments were heard throughout the different processes.

Assistant Planner Daniels:

- Reviewed the demographics and objectives of the focus groups.
- Presented lists developed by the focus groups for:
 - Positive attributes.
 - Areas for improvement.
 - Potential solutions.
- Reviewed the discussion group highlights and referred to an early comment report that is now available (aka, an "early scoping process").
- Reviewed the future opportunities for Phase I Public Involvement, which are listed in the presentation that is filed with the meeting packet materials. She

TIGARD CITY COUNCIL MEETING MINUTES – DECEMBER 20, 2011

reviewed in more detail specific information posted on the website:
www.southwestcorridorplan.org.

- Reviewed the public involvement aspects of the decision-making process flowchart (shown on a presentation slide) with summary of plans and agreements adopted by local governments. There will not be a regional Citizens Advisory Committee (CAC) effort for this project; instead the plan is to engage local groups so each of the land use plans will have a CAC engaged in the process. The idea will be to eventually bring all of the CAC's together to look at overall impacts. Tigard has completed its CAC (HCT Team) process, which will need to be reconstituted to support the regional planning process
- Responded to a question from Councilor Henderson, advising that Metro and Oregon Department of Transportation (ODOT) are co-leading the SW Corridor project.
- Heard from Council President Buehner that Washington County is just concluding its new long-term transportation plan. She suggested that Assistant Planner Daniels make sure this planning group is included with regard to receiving information on the SW Corridor Plan since it will impact a large portion of the county. Assistant Planner Daniels advised she had met with Washington County and Metro to talk about ways to be of support and agreed Council President Buehner's suggestion was a good one that she will pass along to make sure this group is included in receiving updates.
- Advised that a Connection Team event is planned for January 30, 5:30 p.m., which will be an opportunity for the public to learn more about the SW Corridor Plan and the opportunities for participation. The project will be introduced followed by brainstorming on what the project could mean for Tigard and how people can be involved. There is hope for several levels of participation.
- Distributed a public involvement matrix to the City Council members.
- Advised she would provide periodic briefings to the City Council.

Council comments:

- Councilor Wilson summarized that this is a Metro plan, which will include input from the Oregon Department of Transportation (ODOT) and TriMet. Assistant Planner Daniels added there will be input from the City of Tigard also. This will prepare us for the federal process.
- There will be alternative analyses prepared. Senior Transportation Planner Gray said there will also be a draft environmental impact statement. The structure is intended to fold in and address federal requirements for future funding.
- Councilor Woodard commented that, while he was supportive of the project, it seems that there is a disconnection from what was seen in the city survey results regarding the acceptance of density that would be needed for a successful high capacity transit system. He spoke of the need to improve the public relations aspect of the project. Council President Buehner suggested that this was one of the objectives of this public involvement phase and Assistant Planner Daniels said there was early research regarding how people react to certain messages and the importance of how the communications regarding the project is phrased.

TIGARD CITY COUNCIL MEETING MINUTES – DECEMBER 20, 2011

Mayor Dirksen said he concluded, from his review of the survey, that citizens were not opposed to density as much as they were concerned about appropriately dealing with the expected growth/density. Councilor Wilson agreed that it is a truism that people do not want additional density in their own neighborhood. Councilor Woodard said it is obvious that there is a need to address traffic congestion. Mayor Dirksen stressed the need to ask the questions in such a way as to recognize the realities of what is expected to occur and then to get input on ideas for how to address the challenges anticipated.

- City Manager Wine said the next key decision point for the Southwest Corridor is about bringing forth a land use plan, which is scheduled for February. Part of the purpose of regular City Council briefings is to make sure they receive all the dimensions of the Southwest Corridor Plan. Council President Buehner added she wanted to have the Planning Commission and the City Council receive the same information.
- Councilor Wilson spoke to needed information from adjacent jurisdictions as well. City Manager Wine said that neighboring cities will be going through the same strategic planning processes as Tigard has done; staff will incorporate the status of other areas' planning efforts in briefings to City Council. Senior Transportation Planner Gray said she did not know if other communities would have their planning completed at the same time input will be needed for the regional process, but the input will be included in whatever form it is available.

Tracks 2 and 3

The following items were reviewed:

C. Administrative Items:

1. Redrafted City Council 2012 goals were distributed to the council. Council consensus was that the goals should be scheduled for approval on January 10, 2012 after the State of the City Address. There was brief discussion on the wording of the City Council goals and the level of detail presented in this year's goal list. Consensus was to proceed with the format in the draft with suggestions incorporated as proposed to City Manager Wine by individual council members.

During discussion on the "theme" of economic development, Councilor Woodard stressed that this was of particular importance to the Planning Commission. Council members concurred to include economic development as an aspect of the City Council goals. Council President Buehner said she would like to have quarterly joint meetings with the Planning Commission.

2. Draft of the 2012 Board and Committee City Council Liaison Appointments were distributed to the City Council members. Council President Buehner noted she should be shown as the alternate representative for the High Capacity Land Use Plan Citizens Advisory Committee. These appointments

TIGARD CITY COUNCIL MEETING MINUTES – DECEMBER 20, 2011

will be presented for City Council approval on the January 24, 2012 Consent Agenda.

3. Selected January 31 as the date for an evening council training session with Joe Hertzberg. City Council groundrules will be reviewed. Councilor Henderson noted how the scheduling has occurred in recent years for the review of City Council groundrules. He suggested it would be better if the City Council groundrules were reviewed prior to the City Council's annual goal-setting meeting.
4. Washington County Transportation Development Tax - Mayor Dirksen requested input from City Councilors prior to the January 9 Washington County Coordinating Committee meeting. Only recommendations received by December 23 will be included in the WCCC meeting packet for January 9.

Track 4

One of the major concerns, under the proposed transportation development tax (TDT), was the impact on tenant improvements; that is, a change in use for an existing structure. The tax is based on trip generation. Mayor Dirksen reported that there was some feeling by members of the WCCC that small land use changes were being taxed more than what was appropriate and was keeping people from moving forward with plans for expansion or new businesses. One thing being proposed would be to exempt small changes; i.e., under 5,000 square feet and with a limit on how often this could occur and a requirement that the change be for an existing building to fill space that is vacant. There was discussion on the "spirit of the TDT implementation," which was to be the voter-approved replacement for the transportation impact fee. The TDT has not been wholly implemented because of the state of the economy. As designed, the proposed TDT would increase fees to almost double over a phase-in period. Mayor Dirksen explained it would take the actual cost anticipated for the road impacts from paying about 15 percent of anticipated needed improvements to 30 percent – so development would continue to not pay for the majority of its impacts. For development to pay all of the fees, it would become onerous. Councilor Wilson suggested the fee be based on the percentage of improvement costs.

Mayor Dirksen said the proposal is to allow an exemption up to 100 percent for changes that are under 5,000 square feet or 10 percent of an existing building, with a limitation on how often this could occur. The county will make the decision on the TDT. Members of the WCCC have been asked to consult with their city council members to obtain feedback. Mayor Dirksen said his recommendation was based on his belief that the discussion at the county is going in the correct direction with regard to the 5,000 square-foot limitation for exemption. City Manager Wine said, to give perspective, the fees received from TDT's generated from change-of-use activity in the last two years was about \$30,000. Tualatin and Sherwood appear to have the same view

TIGARD CITY COUNCIL MEETING MINUTES – DECEMBER 20, 2011

as Tigard that development needs to pay a fair share. Beaverton and Hillsboro are more interested in the proposed exemption. Council President Buehner said it should be made clear that collecting fees to support the impact from development will eventually need to be addressed and she is concerned with the continued practice of expecting residents to pay for a major portion (85 percent) of the cost of transportation improvements. However, because the impact of the proposed exemption is small, she said she would not object to it. Mayor Dirksen said the exemption could be activated for the short-term and reviewed when the economy improves.

Mayor Dirksen said if the proposed exemption is approved for the short-term, then the rest of the TDT could be implemented, which will bring in more money. He said they have received feedback from the public for support of a moratorium on the rate of collection of the TDT due to the economy.

Council consensus was to support, in general, the acceptance of an exemption in the collection of a TDT for improvements and a change of use for between 3-5,000 square feet in an existing building. Council President Buehner reiterated that she was not supportive of this continuing indefinitely. Mayor Dirksen said he would recommend the county review and re-evaluate the rate of collection on a regular basis.

5. Reviewed Council Calendar:

December 26	Christmas Holiday Observed - City Hall Offices Closed
January 2	New Year's Holiday Observed - City Hall Offices Closed
January 10	City Council Meeting - State of the City Address - 7:30 p.m.
January 16	Martin Luther King, Jr. Day Holiday Observed - City Hall Offices Closed
January 17	City Council Workshop Meeting - 6:30 p.m.
January 24	City Council Meeting - 6:30 p.m. Study Session; 7:30 p.m. Business Meeting
January 30	City Council Meeting - Joint Meeting with the Tigard-Tualatin School Board - 6:30 dinner; 7 p.m. meeting (this is a Monday)

Mayor Dirksen left the meeting at this time.

- EXECUTIVE SESSION: The Executive Session was held after the business meeting.

1. BUSINESS MEETING - DECEMBER 20, 2011

- A. Council President Buehner called the meeting to order at 7:34 p.m.

TIGARD CITY COUNCIL MEETING MINUTES – DECEMBER 20, 2011

B. Roll Call

<u>Name</u>	<u>Present</u>	<u>Absent</u>
Mayor Dirksen		✓
Councilor President Buehner	✓	
Councilor Henderson	✓	
Councilor Wilson	✓	
Councilor Woodard	✓	

C. Pledge of Allegiance

D. Council Communications & Liaison Reports: None.

E. Call to Council and Staff for Non-Agenda Items

Proclamation - Tigard - A Rotary Peace Community

Council President Buehner presented the proclamation proclaiming Tigard as a Rotary Peace Community to encourage residents to support the Tigard Rotary Club in their endeavor to develop peaceful and diverse communities worldwide.

2. CITIZEN COMMUNICATION

A. Follow-up to Previous Citizen Communication: None.

B. Citizen Communication – Sign Up Sheet - None

Council President Buehner reviewed the Consent Agenda:

3. CONSENT AGENDA:

A. Approve City Council Meeting Minutes for:

1. October 25, 2011

2. ~~November 15, 2011~~ - Minutes set over to the January 24, 2012 Consent Agenda

B. Appoint Clifford Rone to the Budget Committee and Appoint Zoe Monahan as an Alternate Member to the Budget Committee

RESOLUTION NO. 11-39 - A RESOLUTION APPOINTING CLIFFORD RONE TO THE BUDGET COMMITTEE AND APPOINTING ZOE MONAHAN AS AN ALTERNATE MEMBER

C. Reappoint Thomas Murphy and Appoint Deanie Bush and Sherrie Devaney to the City Center Advisory Commission, and Appoint Jeff Mauro as an Alternate Member to the City Center Advisory Commission

TIGARD CITY COUNCIL MEETING MINUTES – DECEMBER 20, 2011

RESOLUTION NO. 11-40 -- A RESOLUTION REAPPOINTING THOMAS MURPHY, AND APPOINTING DEANIE BUSH AND SHERRIE DEVANEY AS VOTING MEMBERS OF THE CITY CENTER ADVISORY COMMISSION AND APPOINTING JEFF MAURO AS AN ALTERNATE TO THE CITY CENTER ADVISORY COMMISSION

- D. Appoint Donald Schmidt and Calista Fitzgerald as Voting Members to the Planning Commission and Andrew Miller and Dianne Armstrong as Alternates to the Planning Commission

RESOLUTION NO. 11-41 -- A RESOLUTION REAPPOINTING DONALD SCHMIDT AND APPOINTING CALISTA FITZGERALD AS VOTING MEMBERS TO THE PLANNING COMMISSION, AND APPOINTING ANDREW MILLER AND DIANNE ARMSTRONG AS ALTERNATES TO THE PLANNING COMMISSION

- E. Appoint Steven Bass, Christopher Warren and Evelyn Murphy as Voting Members and Mark Bogert and Shane Brown as Alternate Members of the Transportation Advisory Committee

RESOLUTION 11-42 -- A RESOLUTION REAPPOINTING CHRISTOPHER WARREN AND STEPHEN BASS AS VOTING MEMBERS OF THE TRANSPORTATION ADVISORY COMMITTEE, APPOINTING EVELYN MURPHY AS A NEW VOTING MEMBER AND APPOINTING MARK BOGERT AND SHANE BROWN AS ALTERNATE MEMBERS

- F. Approve an Agreement to Convey Tract H of Colony Creek Estates No. 2 to the City of Tigard

RESOLUTION NO. 11-43 -- A RESOLUTION APPROVING AN AGREEMENT, WHICH CONVEYS TRACT H OF COLONY CREEK ESTATES NO. 2 TO THE CITY AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS ASSOCIATED WITH THE CONVEYANCE

- G. Waive Temporary Sign Permit Fees for Tigard Little League

RESOLUTION NO. 11-44 -- A RESOLUTION WAIVING \$104 IN TEMPORARY SIGN PERMIT FEES FOR TIGARD LITTLE LEAGUE

- H. Approve Amendment #01 to the Intergovernmental Agreement (IGA) with the Oregon Department of Transportation (ODOT) - Motor Vehicle Fuel Dealer Tax Collection

- I. Local Contract Review Board:

- 1. Award the contract for Banking Services to US Bank and Direct the City Manager to Carry the Contract through Execution

TIGARD CITY COUNCIL MEETING MINUTES – DECEMBER 20, 2011

2. Award the Contract for Replacement of the Public Works Department's Computerized Maintenance Management System (CMMS) software to MaintStar, Inc. and Directs the City Manager to Execute the Contract.

Motion by Councilor Wilson, seconded by Councilor Henderson, to approve the Consent Agenda.

The motion was approved by a unanimous vote of City Council present.

4. JOINT MEETING OF THE CITY COUNCIL AND THE TREE BOARD

Associate Planner Caines was the staff presenter for this item.

Tree Board members present: Bret Lieuallen, Wayne Gross and Paul Jackson.

Associate Planner Caines reviewed the Tree Board's goals for last year.

The Tree Board is interested in the information the City Council would like to see with regard to the upcoming budget cycle.

Councilor Wilson said the more detail provided, the more likely a proposal will receive a good review and reaction from the Budget Committee. In response to a question from Councilor Wilson, Tree Board member Gross commented on the way funds have been spent in the past. The board reviewed the overall fund and allocation of percentages towards activities beyond the traditional planning activities. The board, after its next meeting, will have more specific information to propose. Board member Lieuallen said the board does not know how much money is available for each of the activities proposed. He said one of the proposals is to put together a list of city/community projects (partners) to match funding.

Associate Planner/Arborist Prager responded to a question from Councilor Henderson regarding about when the Urban Forestry Master Plan code revisions will be completed. The tentative schedule calls for a Planning Commission workshop in January with a public hearing scheduled for early February. Depending on how comfortable the Planning Commission is with making a recommendation, the City Council might see the proposals in a March workshop, with adoption action requested in April.

Councilor Wilson complimented Associate Planner/Arborist Prager's participation during a public comment event. People are interested and concerned about the code revisions and he expects the Planning Commission and City Council will hear from people as it might be one of the more controversial items addressed this year.

Council President Buehner said the City Council is currently reviewing some administrative code provisions from the Community Development Department and there are guidelines

TIGARD CITY COUNCIL MEETING MINUTES – DECEMBER 20, 2011

relating to hazardous trees, shrubbery, etc. She asked if the Tree Board had an opportunity to review these code provisions? Associate Planner/Arborist Prager said there has been much discussion about these provisions for hazardous trees. The committee identified that the current language is vague and difficult to interpret. One of the projects of the committee was the creation of a more straightforward, objective process for evaluating hazardous trees. This will not only provide citizens with an objective measure of hazards, but will serve to protect the city when it becomes involved. A comprehensive proposal for hazardous trees will come before the City Council for decision making and the existing provisions will be removed.

Council President Buehner said some homeowners' policies provide assistance for removing a tree before it falls and causes damage if it is declared a hazardous tree by the city. Assistant Community Development Director Hartnett said staff is paying close attention to how the administrative rules and the committee's work on hazardous trees fit together. For code compliance, staff is bringing forward the existing code text with the assumption that when Associate Planner/Arborist Prager brings the full Urban Forestry Code revisions package to the City Council, the existing text will be amended.

Board member Gross said another Board goal was to review its Mission Statement. Once the Urban Forestry Code is adopted in 2012, the number of issues requiring the board's attention will likely decrease; therefore, it might be time to think of revising and broadening the board's role to deal with other resource-related issues. They have talked only a little bit about this. Council President Buehner suggested the Tree Board might want to meet with City Council during a workshop meeting in mid-2012. Councilor Wilson said he is a big advocate of broadening the Tree Board's mission. Making decisions about trees is difficult to consider if not done so within their context – the things that are important about trees are also important about other natural resources; i.e., wildlife, aesthetics, clean water, etc. Councilor Wilson said he is not suggesting a “massive program” but just to consider trees within a broader perspective.

Mr. Lieuallen said the council might need to consider, in the next year or two, its review of sensitive lands and work towards incentives/easements. At this time, there are no funds available for purchases of about 80+ properties (tree groves) identified and a funding source needs to be identified. The Tree Board considers a part of its mission is to see that tree groves are protected as can be afforded.

Council President Buehner asked if the Fowler property might be a project for the Tree Board to review; she said it will require a tremendous amount of work. Mr. Lieuallen said they have discussed a possible joint meeting between the Tree Board and Park and Recreation Advisory Board to determine where interest might overlap in some of the properties and to

TIGARD CITY COUNCIL MEETING MINUTES – DECEMBER 20, 2011

set priorities. The property owners for the 80+ identified properties have not been contacted to determine whether they have any interest in working with the city.

Councilor Woodard said it is good for the board to review its scope and mission. He said he sees a number of possibilities: education, summer camps, recreation opportunities and school partnerships. He encouraged cross communication among the boards.

Councilor Wilson referred to regulations within the nuisance code for greenways (conservation easements). He cited an example with regard to the back portion of his property, which is under a conservation easement and his subdivision's common area has a conservation easement on it as well. A neighbor cut some big leaf maple trees and the subdivision was levied a fine of \$3,300. The enforcement action, it seemed to him, came across as a little bit heavy handed insofar as the area was part of a person's backyard. The language in the easement and in the code was somewhat weak and the way the city reacted appeared to be "made up" as things progressed. He said he would give staff more detail about what happened in this situation. He said it would be good for the City Council to discuss policy in this area.

Associate Planner/Arborist Prager responded to a question from Councilor Henderson with information about a discussion last year about possibly broadening the Tree Board's role to include natural resources, which would also address wildlife. He said some communities encourage wildlife but sometimes in more populated areas, this causes problems. He would like to see a public outreach to determine a consensus on issues relating to wildlife. Associate Planner/Arborist Prager acknowledged there is a lot of emotion around wildlife/natural resources matters – at this time, there is no board charged with addressing these types of issues or to recommend policies to council. Mr. Prager said the Tree Board has been considering taking on these issues; however, it might be too expansive and dilute the efforts needed for Tree City USA and keeping the benefits of trees high on their priority list.

Council President Buehner said there has been a significant increase in the deer population in her neighborhood accompanied by the animals' loss of fear of people and cars. Perhaps the city should consider relocating some of these deer.

Councilor Henderson clarified that he was not proposing that he thinks the wildlife is a problem, but that the city should gather input about how the community feels about it. Board member Gross said if the City Council decides it wants to add this to the Board's charge, then new members should be added to provide expertise. Councilor Wilson reflected that animal control has traditionally been a county function and this might not be what the City Council wants to advocate. He said if one reason for greenspace management is to support wildlife, then the city needs to proceed with sophistication and possess knowledge of the subject. The city hears

TIGARD CITY COUNCIL MEETING MINUTES – DECEMBER 20, 2011

neighborhood concerns for such things as coyotes, Canada geese, etc. and to the extent of the concerns expressed, the city should develop coherent policies.

City Attorney Bennett reminded the City Council that the Comprehensive Plan deals with habitat areas, special sensitive areas, etc. The Planning Commission might have something to say about the different roles with regard to the various assets of the city. In addition the Park and Recreation Advisory Board and staff will want to weigh in on requests to manage an area that is not necessarily a park (open space). Council President Buehner said the discussion should be held and would offer an opportunity for cross communication among several boards to determine what is appropriate.

Councilor Woodard commented on the board's \$750 budget for outreach and education. One use might be to offer an awareness of wildlife – communicating messages to various groups within the city. He also suggested warning signs indicating the presence of wildlife (roadway related, so traffic would slow down).

Board member Gross said the board intends to use the \$750. Board member Jackson reviewed that the board wants to promote trees. He referred to the Tigard Heritage Tree program for which there are less than a dozen trees listed. He said the few number might be because of the restrictions of such a designation. The board thought a “Trees of Significance” recognition could be instituted that would not have the same restrictions as a Heritage Tree. Members of the Tigard public could nominate trees in the community to be listed as “significant.” The board would like to be involved in helping choose “significant” trees.

Board member Lieuallen said the board would like to carry many of the 2011 goals forward to 2012. They would send a report on specific recommendations for each of the goals to the City Council. First, he thought it would be best to resolve the issues about the charge/mission of the Tree Board and then to focus on achieving the goals.

Councilor Woodard asked Associate Planner Caines to contact Parks Facilities Manager Martin regarding sending a representative from the Park and Recreation Advisory Board to the Tree Board. He commented on a potential partnership with the City Center Advisory Commission and the natural resources in the downtown. Councilor Henderson agreed with Councilor Woodard's comments.

Mr. Lieuallen noted that the Urban Forestry Code provides that the educational outreach funding be increased to about \$2,500.

TIGARD CITY COUNCIL MEETING MINUTES – DECEMBER 20, 2011

5. PUBLIC HEARING - CONSIDER A RESOLUTION OF NECESSITY TO ACQUIRE PROPERTY FOR THE LAKE OSWEGO-TIGARD WATER PARTNERSHIP

- Council President Buehner opened the public hearing.
- Staff Report

Senior Project Engineer Murchison presented the staff report on consideration of a resolution of necessity to acquire a 1.8-acre parcel on Milton Court for a new drinking water pump station needed as a result of the Lake Oswego-Tigard partnership. The pump station will take water from Lake Oswego and convey it to Tigard. He reviewed the criteria used to select this site.

Council President Buehner asked about the possibility of needing to put more chlorine in the water once it arrives at Tigard. Senior Project Engineer Murchison said the partners have agreed to chlorinate using “free chlorine,” which has a shorter lifespan within the system. The goal is to minimize the age of the water as much as possible. It has not yet been determined where the chlorination of the water would need to occur. Water-age modeling is under review now.

Councilor Woodard asked about the configuration of the stations’ footprint. The configuration is shown as it is because of the presence of a wetland. Senior Project Engineer Murchison said staff is still reviewing whether mitigation is needed.

Senior Project Engineer Murchison explained that the site was evaluated to make sure it is large enough to house the pump station and its appurtenances. Wetland delineation still needs to occur to determine what the mitigation potentials might be.

Senior Project Engineer Murchison said staff has met and will continue to meet with the property owner.

Councilor Henderson asked with the purchase of the property, will the city be required to fence off the wetlands and would there be additional costs. Senior Project Engineer Murchison said there will be security around the pump station; the level of security (fencing) needed is unknown.

In response to a question from Council President Buehner, Senior Project Engineer Murchison said the current pump station property is in Oregon Department of Transportation (ODOT) right of way and takes up a relatively small footprint. The pipes will be going through the pump station where there is existing infrastructure – pipe connections will be required.

In response to a question from Councilor Henderson, Senior Project Engineer Murchison confirmed that the purchase of the property will be funded with money designated for Tigard’s

TIGARD CITY COUNCIL MEETING MINUTES – DECEMBER 20, 2011

expenditures for the water partnership. Public Works Director Koellermeier added that this purchase has been contemplated as part of the program.

Public Testimony: None

- City Council Consideration:

Motion by Councilor Wilson, seconded by Councilor Henderson, to approve Resolution No. 11-45

RESOLUTION NO. 11-45 -- A RESOLUTION DECLARING THE NEED TO ACQUIRE PROPERTY FOR THE PURPOSE OF CONSTRUCTING, OPERATING AND MAINTAINING A POTABLE WATER PUMP STATION AS PART OF THE LAKE OSWEGO-TIGARD WATER PARTNERSHIP AND AUTHORIZING IMMEDIATE POSSESSION OF THE PROPERTY

The motion was approved by a unanimous vote of City Council present.

Mayor Dirksen	Absent
Council President Buehner	Yes
Councilor Henderson	Yes
Councilor Wilson	Yes
Councilor Woodard	Yes

6. COUNCIL LIAISON REPORTS: None

7. NON AGENDA ITEMS: None

Business meeting recessed.

8. EXECUTIVE SESSION: TIGARD CITY COUNCIL: The **Tigard City Council** went into Executive Session at 8:40 p.m. to discuss pending litigation under ORS 192.660(2) (h). After the City Council Executive Session, the **Tigard City Center Development Agency** went into Executive Session to discuss real property transaction negotiations under ORS 192.660(2)(e).

9. ADJOURNMENT – 10 p.m.

TIGARD CITY COUNCIL MEETING MINUTES – DECEMBER 20, 2011

/s/ Catherine Wheatley
Catherine Wheatley, City Recorder

Attest:

/s/ Craig E. Dirksen
Mayor, City of Tigard

Date: February 14, 2012

i:\adm\cathy\ccm\2011\final minutes\12 december\111220 final.docx

TIGARD CITY COUNCIL MEETING MINUTES – DECEMBER 20, 2011